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July 12, 2013

Via E-mail to:

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Also Submitted Via FOIAonline

To Whom It May Concern:

This is a Freedom of Information Act request on behalf of the Community Association for Restoration of the Environment (“CARE”) and the Center for Food Safety (“CFS”), made pursuant to 5 U.S.C. § 552 *et seq.* Under the terms of the Administrative Order on Consent (“AOC”), Docket No. SDWA-10-2013-0080, the Yakima Valley Cluster Dairies¹ (“Dairies”) are required to comply with all provisions of the AOC, including all attachments. AOC ¶ 12. Appendix B, the Statement of Work (“SOW”), is attached at page 26 of the AOC, and defines the response actions and obligations that the Dairies are required to perform to implement the work ordered by the AOC.

For each of the Dairies covered by the AOC, please provide copies of any and all documents received by EPA between April 25, 2013, and July 12, 2013, which should

¹ The Dairies are identified by the AOC as: Cow Palace, LLC; D & A Dairy, LLC (also known as D & A Dairy, L.L.C.); George DeRuyter & Son Dairy, L.L.C. and George & Margaret, L.L.C.; Liberty Dairy, LLC; and H & S Bosma Dairy.

have been submitted to EPA by each of the Dairies pursuant to the schedule contained in the Statement of Work. These documents include:

1. Groundwater Monitoring QAPP (SOW Sec. III.E.1)
2. Dairy Facility Application Field Management Plan (SOW Sec. III.F.1)
3. Lagoon Review Report (SOW Sec. III.F.6)
4. Plan for Assessment of area surrounding monitoring well DC-03 (SOW Sec. III.F.12)
5. Irrigation Water Management Plan (SOW Sec. III.F.2)
6. Monthly Progress Reports (SOW Sec. III.K.1).

For each of the Dairies covered by the AOC, please confirm that the following actions have been completed and produce any supporting documentation provided to EPA by the Dairies:

7. Action to reduce nitrate contributions from silage storage (SOW Sec. III.F.3)
8. Action to reduce nitrate contributions from solid separator (SOW Sec. III.F.4)

Further, if EPA has approved the Residential Well Sampling QAPP (SOW Sec. III.D.2, due April 9, 2013), some additional required actions and/or document submissions may have been triggered. For each of the Dairies covered by the AOC, please indicate whether the following actions have been completed and produce any supporting documentation provided to EPA by the Dairies, or confirm that the actions have not been completed:

9. If 60 or more days have passed since EPA's approval of the Residential Well Sampling QAPP, each residential drinking water well within the Dairy Facilities boundary and within one mile downgradient of the Dairy Facilities should have been tested (SOW Sec. III.D.3), and results of the Hach test strips should have been provided to residents at the time of testing (SOW Sec. III.D.4). Please also confirm whether any preliminary or validated laboratory analysis has been completed and results provided to EPA and residents (SOW Sec. III.D.4), and whether

any reverse osmosis treatment systems or other EPA approved water supplies have been provided to any residents (SOW Sec. III.D.5).

Where available, please provide electronic responses to this request. Please contact our office prior to incurring costs in excess of \$100.

Sincerely,

/s/ Daniel C. Snyder

Daniel C. Snyder

Law Offices of Charles M. Tebbutt, P.C.